

REGULATION OF THE MINISTER OF MANPOWER OF
THE REPUBLIC OF INDONESIA

NUMBER 28 OF 2014

ON

PROCEDURES FOR MAKING AND LEGALIZING COMPANY REGULATIONS AND
MAKING AND REGISTRATION OF COLLECTIVE BARGAINING AGREEMENT

BY THE BLESSINGS OF ALMIGHTY GOD

THE MINISTER OF MANPOWER OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that Regulation of the Minister of Manpower and Transmigration Number PER.16/MEN/XI/2011 on Procedures for Making And Legalizing Company Regulations Along with the Making and Registration of Collective Bargaining Agreement is no longer compatible with the conditions and the needs in the field so that it needs to be improved;
 - b. that based on consideration as referred to in point a, it is necessary to issue a Ministerial Regulation on Procedures for Making and Legalizing Company Regulations and Making and Registration of Collective Bargaining Agreement;
- Observing :
1. Law Number 3 of 1951 on Statement of Enactment of Law on Labour Inspection of 1948 Number 23 from the Republic of Indonesia to all Indonesians (State Gazette of the Republic of Indonesia of 1951 Number 4);

2. Law Number 21 of 2000 on Trade Unions (State Gazette of the Republic of Indonesia of 2000 Number 121, Supplement to the State Gazette of the Republic of Indonesia Number 3989);
3. Law Number 13 of 2003 on Manpower (State Gazette of the Republic of Indonesia of 2003 Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279);
4. Law Number 2 of 2004 on Industrial Relations Dispute Settlement (State Gazette of the Republic of Indonesia of 2004 Number 6, Supplement to the State Gazette of the Republic of Indonesia Number 4356);
5. Law Number 23 of 2014 on Local Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587);
6. Government Regulation Number 38 of 2007 on Division of Government Affairs amongst the Central Government, Provincial Governments and Regency/Municipal Governments (State Gazette of the Republic of Indonesia of 2007 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 4737);

HAS DECIDED:

To issue : REGULATION OF THE MINISTER OF MANPOWER ON PROCEDURES FOR MAKING AND LEGALIZING COMPANY REGULATIONS AND MAKING AND REGISTRATION OF COLLECTIVE BARGAINING AGREEMENT.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Ministerial Regulation:

1. Company Regulations (*Peraturan Perusahaan*) hereinafter abbreviated as PP means the regulations made in writing by employers that contain the terms of work and company rules.

2. Collective Bargaining Agreement (*Perjanjian Kerja Bersama*), hereinafter referred to as PKB means an agreement which means the result of negotiations between trade unions or several trade unions that are registered in the institutions responsible in the field of manpower with employer, or several businesspersons or employer associations that contain terms of work, rights and obligations of both parties.
3. Company means:
 - a. every form of business, which is either a a legal entity or not, which is owned by an individual, a partnership or a legal entity that is either privately owned or State owned, which employs workers/labourers by paying them wages or other forms of compensation;
 - b. social entity and other entity that have a management and employ other people by paying wages or other forms of compensation.
4. Employer means:
 - a. an individual, a partnership, or a legal entity that runs its own company;
 - b. an individual, a partnership, or a legal entity that independently runs its non-self-owned company;
 - c. an individual, a partnership or a legal entity located in Indonesia and representing the company as referred to in point a and point b domiciled outside the territory of Indonesia.
5. Worker/labourer means any person who works and receives wages or other forms of compensation.
6. Trade Union means an organization which is established from, by, and for workers/labourers either in company or outside the company, based on freedom, transparency, independent, democracy and responsible in order to strive for, defend and protect the rights and interests of workers/labourers as well as to increase the welfare of workers/labourers and their families.

7. Definite Duration of Work Agreement (*Perjanjian Kerja Waktu Tertentu*), hereinafter referred to as PKWT, means an employment agreement between the worker/labourer and the employer to establish a working relationship within a certain time or for a particular job.
8. Indefinite Duration of Work Agreement (*Perjanjian Kerja Waktu Tidak Tertentu*), hereinafter referred to as PKWTT means an employment agreement between workers/labourers and employers to hold a permanent working relationship.
9. Regional Work Unit of regency/municipal in manpower sector (*Satuan Kerja Perangkat Daerah/SKPD*) hereinafter referred to as SKPD regency/municipal in manpower sector means the institution that organizes local government affairs in the regency/municipal manpower sector.
10. Regional Work Unit of provincial in manpower sector (*Satuan Kerja Perangkat Daerah/SKPD*), hereinafter referred to as SKPD provincial in manpower sector means the institution that organizes local government affairs in the provincial manpower sector.
11. Directorate General of Industrial Relations and Workers Social Security hereinafter referred to as Directorate General means echelon I work unit that carries out the duties and functions in the field of industrial relations and workers social security in the ministry that carries out government affairs in the field of manpower.
12. Director General of Industrial Relations and Workers Social Security hereinafter referred to as Director General means an official who has duties and authority in the field of industrial relations and workers social security in the ministry that carries out government affairs in the field of manpower.
13. Minister means the minister administering the government affairs in the field of manpower.

CHAPTER II
COMPANY REGULATIONS

Part One

Procedures for Establishing Company Regulation

Article 2

- (1) Employer who employs at least 10 (ten) workers/labourers is required to make PP.
- (2) PP at least contains:
 - a. the rights and obligations of employers;
 - b. the rights and obligations of workers/labourers;
 - c. the terms of employment;
 - d. the company discipline;
 - e. the period of validity of the PP; and
 - f. other matters which constitute further regulation of the legislation.
- (3) The terms of employment as referred to in section (2) point c contain the matters that have not been regulated in the legislation, better provisions of legislation, and details of the implementation of legislation.
- (4) The terms of employment as referred to in section (2) point c contain the matters that have not been regulated in the legislation, better provisions of legislation, and details of the implementation of legislation.
- (5) In the event that PP will rearrange the material from the legislation, the PP regulates better or at least the same as the provisions in the legislation.

Article 3

- (1) In 1 (one) company, only 1 (one) PP can be made which applies to all workers/labourers, both PKWT and PKWTT, in the company.
- (2) In the event that the company has a branch/work unit/representative, PP as referred to in section (1) applies in all branches/work units/company representatives.

- (3) The branch/work unit/representative office of the company as referred to in section (2) can make the derivative PP applicable in each branch/work unit/company representative.
- (4) PP as referred to in section (1) contains provisions that are generally applicable in all branches/work units/representatives of companies and derivative PPs as referred to in section (3) containing special provisions that are adjusted to the conditions of the branch/work unit/representative of each company respectively.
- (5) In the event that the derived PP as referred to in section (3) has not been legalized by the institution that carries out government affairs in the local manpower sector, then the PP as referred to in section (1) remains valid in the branch/work unit/representative of the relevant company.
- (6) In the event that several companies incorporated in 1 (one) group, then the PP is made by each company.

Article 4

- (1) PP as referred to in Article 2 is made and compiled by the employer by taking the suggestions and considerations of the workers/labourers' representatives in the company into account.
- (2) The workers/labourers' representative as referred to in section (1) may give no advice and consideration to the PP submitted by the employer.
- (3) The workers/labourers' representative as referred to in section (1) is chosen by workers/labourers in a democratic manner representing each work unit in the company.
- (4) If a trade union has been formed in a company, the workers/labourers' representative as referred to in section (1) is the manager of a trade union.
- (5) In the event that a trade union has been formed, but the membership does not represent the majority of workers/labourers in the company, then the employer, in

addition to paying attention to the advice and consideration of the trade union representative must also pay attention to suggestions and considerations from representatives of workers/labourers who are not members of trade unions.

- (6) Suggestions and considerations as referred to in section (1) cannot be disputed.

Article 5

The making of PP is the obligation and responsibility of the employer.

Article 6

- (1) Employers must submit a draft PP to workers/labourers' representatives and/or trade unions to take some advice and consideration.
- (2) Suggestions and considerations from the workers/labourers' representatives and/or trade unions on the draft PP as referred to in section (1) must be received by the employer within 7 (seven) work days from the date of receipt of the draft PP by the worker/labourers' representative and/or trade unions.
- (3) In the event that the workers/labourers' representatives and/or trade unions have submitted the suggestions and considerations as referred to in section (2), the employer pays attention to the suggestions and considerations of the workers/labourers' representatives and/or the trade unions.
- (4) If within 7 (seven) work days as referred to in section (2) the workers/labourers' representative and/or the trade union do not provide advice and consideration, the employer may submit a PP legalization accompanied by an evidence in the form of a letter requesting advice and consideration from the workers/labourers' representative and/or trade unions.

Part 2
Legalization of Company Regulations

Article 7

- (1) The legalization of PP is carried out by:
 - a. Head of SKPD reGENCY/municipal manpower sector, for companies that are only available in 1 (one) reGENCY/municipality;
 - b. Head of SKPD provincial manpower sector, for companies located in more than 1 (one) reGENCY/municipality in 1 (one) province;
 - c. Director General, for companies located in more than 1 (one) province.
- (2) The Director General as referred to in section (1) point c can delegate the authority to approve the PP to the Director who organizes the matters in the field of work requirements.

Article 8

- (1) Employers must submit an application for the legalization of PP to the Official as referred to in Article 7.
- (2) An application for legalization as referred to in section (1) is completed with:
 - a. the draft PP that has been signed by the employer; and
 - b. proof that advice and consideration has been sought from trade unions and/or workers/labourers' representatives if there is no trade union in the company.
- (3) The officials as referred to in Article 7 must conduct research on:
 - a. the completeness of documents as referred to in section (2); and
 - b. PP material as referred to in Article 2 section (2).
- (4) The PP material as referred to in section (3) point b must not be lower than the legislation.
- (5) Research on PP material as referred to in section (3) point b is conducted not later than 6 (six) work days.

- (6) Form of application for ratification, statement letter as a proof that advice and consideration has been requested from trade unions, and a statement as evidence that there is no trade union in the company as referred to in section (2) using Annex I, Annex II, and Annex III in this Ministerial Regulation.

Article 9

- (1) In the event that the application as referred to in Article 8 section (2) and section (4) does not meet the requirements, the official as referred to in Article 7 notifies the employer about the improvement of PP in writing.
- (2) Within a maximum of 14 (fourteen) work days from the date the notification received by the employer as referred to in section (1), the employer is obligated to re-submit the revised PP to the official as referred to in Article 7.
- (3) In the event that the employer does not re-submit the PP as referred to in section (2), the approval process starts from the beginning as regulated in Article 8.

Article 10

- (1) In the event that an application for legalization of PP has fulfilled the requirements as referred to in Article 8 section (2) and section (4), the official as referred to in Article 7 must legalize the PP by issuing a decision letter.
- (2) The process of issuing the decision letter as referred to in section (1) is carried out within a maximum of 5 (five) work days after the document and material have fulfilled the requirements as referred to in Article 8 section (2) and section (4).

Article 11

- (1) In the event that the company is negotiating the making of PKB and the validity period of the PP has expired, then the employer can submit an application to extend the validity period of the PP.

- (2) The extension as referred to in section (1) is provided for a maximum of 1 (one) year.

Part Three
Amendment

Article 12

- (1) In the event that the company will amend the contents of the PP within the validity period of the PP, then in the event that the amendment becomes lower than the previous PP, insofar as it does not conflict with the legislation, then the amendment must be agreed by the trade union and/or workers/labourers' representatives as referred to in Article 4 section (5).
- (2) The amendment as referred to in section (1) must be re-legalized by the official as referred to in Article 7.
- (3) If the amendment to the PP is not legalized as referred to in Article 7, the amendment is deemed non-existent.
- (4) The application for an amendment to PP as referred to in section (1) is contained in Annex IV to this Ministerial Regulation.

Part Four
Renewal

Article 13

- (1) The employer is obligated to submit a renewal of PP not later than 30 (thirty) work days prior to the expiration of the PP period, to the official as referred to in Article 7 for legalization.
- (2) The submission of legalization of PP renewal as referred to in section (1) must fulfill the requirements in accordance with the provisions in Article 8 section (2).
- (3) The renewal of PP takes the advice and consideration of the workers/labourers' representative into account as referred to in Article 4.

CHAPTER III
COLLECTIVE BARGAINING AGREEMENT

Part One

Requirements in Making Collective Bargaining Agreements

Article 14

- (1) PKB is negotiated by a trade union or several trade unions that have been recorded in the institution that organizes affairs in the field of manpower with an employer or several employers.
- (2) PKB negotiations must be based on goodwill and free will of both parties.
- (3) PKB negotiations as referred to in section (1) and section (2) are carried out in consultation to reach consensus.
- (4) The duration of the PKB negotiations as referred to in section (1) is determined based on the agreement of the parties and written in the negotiation rules.

Article 15

- (1) In one company, only one (1) PKB can be made which applies to all workers/labourers both PKWT and PKWTT in the company concerned.
- (2) In the event that the company in question has a branch/work unit/representative, a main PKB is made applicable in all branches/work units/company representatives and derivative PKB can be made applicable in each branch/work unit/company representative.
- (3) The main PKB contains provisions that are generally applicable in all branches/work units/company representatives and derivative PKB includes the implementation of the main PKB which is adjusted to the conditions of the respective branch/work unit/company representative.
- (4) In the event that the main PKB has been applied in the company but it is desirable to have derivative PKB in the

branch/work unit/company representative, then as long as the derivative PKB has not been agreed, the main PKB still applies.

Article 16

- (1) In the event that several companies are incorporated in 1 (one) group and each company is a separate legal entity, then the PKB is arranged and negotiated by each employer and trade unions of each company.
- (2) In the event that 1 (one) company has 1 (one) trade union, the PKB is arranged and negotiated by the company and the trade union.
- (3) In the event that several companies as referred to in section (1) have 1 (one) trade union, then the PKB is arranged and negotiated by several companies with 1 (one) trade union.
- (4) In the event that several companies as referred to in section (1) have more than 1 (one) trade unions, then the PKB is arranged and negotiated by several companies with several trade unions.

Article 17

Employers must respond trade unions that submit written requests to negotiate the PKB if:

- a. the trade unions have been registered based on Law Number 21 of 2000 on Trade Unions; and
- b. the trade unions have fulfilled the requirements for making the PKB as regulated in the Law Number 13 of 2003 on Manpower.

Article 18

- (1) In the event that there is 1 (one) trade union in a company which has a membership of more than 50% (fifty percent) of the total number of workers/labourers in the company, then the trade union can represent workers/labourers in the negotiation of making PKB with the employer if the trade union concerned has received

support from more than 50% (fifty percent) of the total number of workers/labourers in the company through voting.

- (2) The voting as referred to in section (1) is held by a committee consisting of the management of trade unions and workers/labourers' representatives who are not members of trade unions.
- (3) Within 30 (thirty) days after its formation, the committee as referred to in section (2) has announced the results of the vote.
- (4) Voting can be conducted not later than 7 (seven) days after the voting notification by the committee.
- (5) The committee as referred to in section (2) informs the date of the voting to officials from the institution that carries out government affairs in the field of manpower and the employers, to witness the implementation of the voting.
- (6) The committee must provide opportunities for trade unions to disseminate their work program to workers/labourers in the company to get support in making the PKB.
- (7) The dissemination of the work program as referred to in section (6) is carried out outside work hours at the places that has been agreed upon by the voting committee and the employers.
- (8) The place and time of voting is determined by the committee by considering the work schedule of the workers/labourers so as not to interfere with the production process.
- (9) The vote count is witnessed by the representatives of employers.

Article 19

- (1) In the event that there are more than 1 (one) trade unions that have the right to represent workers/labourers in negotiating with employers, a maximum of 3 (three) trade unions whose members are at least 10% (ten percent) of the total workers/labourers in the company are allowed.

- (2) The 3 (three) trade unions as referred to in section (1) is determined based on the highest number of members.
- (3) After 3 (three) trade unions have been determined as referred to in section (2) and there are still trade unions whose members are at least 10% (ten percent) of the total workers/labourers in the company, the trade unions can join the trade unions as referred to in section (2).

Article 20

- (1) In the event that trade unions as referred to in Article 16 submit requests for negotiations with employers, then employers are allowed to request the verification of membership of trade unions.
- (2) In the event that the determination of trade unions as referred to in section (1) is carried out through verification of membership of trade unions, the verification is carried out by a committee consisting of representatives of the trade unions in the company witnessed by representatives of institutions that carry out government affairs in the field of manpower and employers.
- (3) The verification of the membership of trade unions as referred to in section (2) is carried out based on a proof of membership card in accordance with Article 121 of Law Number 13 of 2003 and if there are more than 1 (one) membership cards, then a valid membership card is the last card.
- (4) The results of the verification are written in the form of minutes of meeting signed by the committee and the witnesses as referred to in section (2) whose results are binding on the trade unions in the company.
- (5) The verification is carried out in workplaces that is arranged in such a way that it does not interfere with the production process within 1 (one) work day agreed upon by the trade unions.
- (6) The employers and trade unions are prohibited from taking actions that affect verification.

- (7) The period of verification of the trade unions membership is carried out at the latest 30 (thirty) work days since the verification request from the employer.
- (8) The trade unions membership verification as referred to in section (1) is carried out based on the membership card proof or written statement from the workers/labourers in the company who do not have a membership card, and a proof as an employee in that company.

Article 21

The negotiation in making PKB begins by agreeing to the rule of negotiation which at least contains:

- a. the purpose of making the rule;
- b. the arrangement of the negotiating team;
- c. the duration of the negotiation;
- d. the negotiation material;
- e. the place of negotiation;
- f. the negotiation procedures;
- g. how to resolve if there is a deadlock in the negotiation;
- h. legitimate negotiations; and
- i. the negotiation fees.

Article 22

- (1) In determining the negotiating team in making PKB as referred to in Article 21 point b, the employer and the trade unions appoint the negotiating team according to the requirements with each party not more than 9 (nine) persons with full power.
- (2) The members of the negotiating team in making PKB that represent trade unions must be workers/labourers who are still bound in the employment relations at the company.

Article 23

- (1) The negotiation place for making the PKB as referred to in Article 21 point e, is carried out in the office of the

relevant company or the office of a trade union or in another place in accordance with the agreement of both parties.

- (2) The negotiation fees in making PKB as referred to in Article 19 point i is borne to the employer, unless agreed otherwise by both parties.

Article 24

PKB must at least contain:

- a. name, domicile and address of the trade unions;
- b. name, domicile and address of company;
- c. number and date of registration of trade unions in SKPD regency/municipal manpower sector;
- d. rights and obligations of employers;
- e. rights and obligations of trade unions and workers/labourers;
- f. the period and date when the PKB applies; and
- g. the signatures of all parties involved in making the PKB.

Article 25

- (1) In the event that the negotiations of making the PKB is not completed within the time agreed in the rules as referred to in Article 21, then both parties can reschedule the negotiations with a maximum period of 30 (thirty) days after the negotiations fail.
- (2) In the event that the agreement in making the PKB is still not completed within the time agreed in the rules and scheduling as referred to in section (1), the parties must make a written statement that the negotiations cannot be completed on time, which contains:
 - a. the PKB material that has not been agreed upon;
 - b. the establishment of the parties;
 - c. minutes of negotiations; and
 - d. the place, date, and signature of all parties.
- (3) In the event that the agreement in making the PKB has not reached an agreement as referred to in section (2), then one party or both parties register to the agency that

carries out the affairs in the manpower sector for settlement.

- (4) The institutions as referred to in section (3) are:
 - a. SKPD of regency/municipal manpower sector, if the scope of the PKB applies only covers one regency/municipality;
 - b. SPKD of provincial manpower sector, if the scope of the PKB applies in more than one regency/municipality in one province;
 - c. Directorate General, if the scope of the PKB applies in more than one province.
- (5) The settlement by institutions as referred to in section (3) and section (4) is carried out in accordance with the mechanism of industrial relations dispute settlement as regulated in Law Number 2 of 2004.
- (6) The institutions as referred to in section (4) point b and point c, resolve the PKB dispute based on written agreement from the trade union which acts as the negotiator with the employer.
- (7) The written agreement as referred to in section (6) contains the following conditions:
 - a. the parties negotiating;
 - b. the company work area; and
 - c. the place, date, and signature of all parties.

Article 26

- (1) If the settlement by the institutions as referred to in Article 25 section (4) is carried out through mediation and the parties or one of the parties do not accept the recommendation of the mediator, then one party can file a lawsuit to the Industrial Relations Court in the legal area where the worker/labourer works.
- (2) In the event that the legal area in which the worker/labourer works as referred to in section (1) exceeds 1 (one) legal area of the Industrial Relations Court, then the claim is submitted to the Industrial Relations Court whose jurisdiction includes the company's domicile.

Article 27

- (1) In the event that the trade union and the employer will make an amendment to the valid PKB, then the amendment must be based on an agreement.
- (2) The amendment of the PKB as referred to in section (1) is an inseparable part of the prevailing PKB.

Article 28

- (1) The PKB is signed by the board of directors or company leaders, the chairperson and secretary of the trade union in the company.
- (2) In the event that the PKB as referred to in section (1) is signed by the vice director or the representative of the company leader, a special power of attorney is attached.

Article 29

- (1) The PKB validity period is not later than 2 (two) years from the date of signing or otherwise regulated in the PKB.
- (2) In the event that the PKB negotiations have not reached an agreement, then within 30 (thirty) days the validity period of the PKB ends, it can be extended 1 (one) time at the latest 1 (one) year with the agreement of the parties.
- (3) In the event that the PKB negotiations have not reach an agreement and the validity period of the PKB extension has expired, then the previous PKB applies until the new PKB is agreed.

Part Two

Registration of Collective Bargaining Agreement

Article 30

- (1) Employers register the PKB to the institution that carries out government affairs in the field of manpower.
- (2) The PKB registration as referred to in section (1) is intended:
 - a. as a monitoring and evaluating tool for the regulation of work conditions implemented in the company; and

- b. as the main reference in the event of a dispute over the implementation of the PKB.
- (3) The submission of the PKB registration as referred to in section (1) must attach the draft PKB that has been signed by the employer and the trade union on a stamp.

Article 31

- (1) The PKB registration as referred to in Article 30 section (1) is carried out by:
- a. Head of SKPD regency/municipal manpower sector, for companies that are only available in 1 (one) regency/municipality;
 - b. Head of SKPD provincial manpower sector, for companies located in more than 1 (one) regency/municipality in 1 (one) province;
 - c. Director General, for companies located in more than 1 (one) province.
- (2) The submission of the PKB registration as referred to in Article 27 section (3) is made using the format as contained in Annex V to this Ministerial Regulation.
- (3) The official in charge of the manpower sector must examine the completeness of the formal requirements as referred to in section (2) and/or the draft PKB material.
- (4) The official as referred to in section (1) is obligated to issue a decision letter on the registration of the PKB within a maximum of 4 (four) work days from the receipt of the application for registration.
- (5) In the event that the requirements as referred to in section (2) are not fulfilled and/or there are PKB materials that are contrary to the legislation, the official in charge of the manpower sector as referred to in section (1) conveys to the parties to fulfill the requirements and/or improve PKB material that is contrary to the legislation.
- (6) In the event that the parties continue to agree on as referred to in section (5), the official in charge of the manpower sector as referred to in section (1) gives a note on the registration decision letter.

- (7) The notes as referred to in section (5) contains articles that are contrary to manpower legislation.

Article 32

- (1) The employer, trade unions, and workers/labourers are obligated to implement the provisions in the PKB.
- (2) The employer and trade unions are obligated to inform the contents of the PKB or the amendment to all workers.

CHAPTER IV MISCELLANEOUS PROVISIONS

Article 33

- (1) The application and the process of legalization of PP and the registration of the PKB are carried out through a system that is connected to the internet network (online system).
- (2) The system as referred to in section (1) is carried out in stages by each SKPD in the regency/municipal manpower sector, the SKPD in provincial manpower sector, and the ministry administering the government affairs in the field of manpower.

CHAPTER V SANCTIONS

Article 34

Anyone who violates the provisions as referred to in Article 2 section (1), and Article 11 section (1) is subject to sanctions in accordance with Law Number 13 of 2003 on Manpower.

CHAPTER VI TRANSITIONAL PROVISIONS

Article 35

- (1) The existing PP is based on Regulation of the Minister of Manpower and Transmigration Number PER.16/MEN/XI/2011 on Procedure for Making and

Legalizing Company Regulations and Making and Registration of Collective Bargaining Agreements, still valid until the end of the relevant PP.

- (2) The derivative PP is made based on Regulation of the Minister of Manpower and Transmigration Number PER.16/MEN/XI/2011 on Procedures for Making and Legalizing Company Regulations and Making and Registration Collective Bargaining Agreements, still valid until the end of the derivative PP and must be adjusted with this Ministerial Regulation within 1 (one) year.
- (3) The existing Collective Bargaining Agreement is based on Regulation of the Minister of Manpower and Transmigration Number PER.16/MEN/XI/2011 on Procedures for Making and Legalizing Company Regulations and Making and Registration Collective Bargaining Agreements still valid until the end of the PKB concerned.

CHAPTER VII

CLOSING PROVISION

Article 36

At the time this Ministerial Regulation comes into force, the Regulation of the Minister of Manpower and Transmigration Number PER. 16/MEN/XI/2011 on Procedures for Making and Legalizing Company Regulations and Making and Registration Collective Bargaining Agreements, is repealed and declared ineffective.

Article 37

This Ministerial Regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Ministerial Regulation by its placement in the State Bulletin of the Republic of Indonesia.

Issued in Jakarta,
on 31 December 2014

MINISTER OF MANPOWER OF THE
REPUBLIC OF INDONESIA,

signed

M. HANIF DHAKIRI

Promulgated in Jakarta
on 31 December 2014

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

YASONNA H. LAOLY

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2014 NUMBER 2099

Jakarta, 6 December 2018

Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,


WIDODO EKATJAHJANA

ANNEX I
REGULATION OF THE MINISTER OF MANPOWER OF THE
REPUBLIC OF INDONESIA
NUMBER 28 OF 2014
ON
PROCEDURES FOR MAKING AND LEGALIZING COMPANY
REGULATIONS AND MAKING AND REGISTRATION OF
COLLECTIVE BARGAINING AGREEMENT

FORMAT OF APPLICATION OF
LEGALIZATION OF COMPANY REGULATIONS

COMPANY LETTERHEAD

....., (place and date)

No : To
Issue : Request for Legalization of PP
in

In accordance with Law Number 13 of 2003 on Manpower, we hereby submit an application for the legalization of PP as many as 3 (three) copies:

1. Company Name :
2. Company Address :
3. Phone Number :
4. Type of Business : (filled in according in KLUI)
5. Company Status : Limited Liability Company
(PT)/Limited Partnership Company
(CV)/Firm/Individual Company/ State
Enterprises/Foreign Investment
Company (PMA)/Domestic Investment
Company (PMDN)/Joint Venture (cross
the unnecessary one)
6. Business License : No. :
Date :
7. The name of trade
union in the company :

8. No. of BPJS Membership :
9. Number of Central Workers : Male : person(s)
Female : person(s)
10. Number of Workers in Branches : Male : person(s)
Female : person(s)
11. The concept of PP : New/ renewal (cross the unnecessary one)
12. The validity date of the new PP :
13. Monthly Worker Wages : Minimum Rp.....
Maximum Rp.....
14. Employment Relation System :
 - a. For a Definite Time person(s)
 - b. For an Indefinite Time person(s)

Attachment:

1. The names of the respective branch offices along with their address, types of business and number of workers.
2. The concept of PP that will be legalized (3 copies).
3. The previous/last PP along with the Decision Letter.
4. A proposal letter of improvement/trial that will be held by giving explanations for the PP to be renewed.
5. A letter of approval from the Trade Union Leader stating that they are not ready/able to improve the PKB (if any).
6. A copy of membership and BPJS latest payment.

The Head of the
Company,

.....

Note: Each PP file is initialized on each sheet by management.

Issued in Jakarta
on 31 December 2014

THE MINISTER OF MANPOWER OF
THE REPUBLIC OF INDONESIA,

signed

M. HANIF DHAKIRI

ANNEX II
 THE REGULATION OF THE MINISTER OF MANPOWER OF
 THE REPUBLIC OF INDONESIA
 NUMBER 28 OF 2014
 ON
 PROCEDURES FOR MAKING AND LEGALIZING COMPANY
 REGULATIONS AND MAKING AND REGISTRATION OF
 COLLECTIVE BARGAINING AGREEMENT

FORMAT OF STATEMENT LETTER 1

COMPANY LETTERHEAD
 STATEMENT LETTER

We, hereby, the undersigned, declare as follows:

1. The company has submitted a draft PP, PT, with a date letter, number to the trade union representative from each work unit in the company.
2. For this reason, we have provided advice and consideration to the draft PP date As it has been regulated in legislation on manpower.
3. The employers in order to compile the draft PP, has paid attention to the suggestions and considerations of the Trade Union and/or representatives of workers/labourers and is not lower than the previous PP.

Thus this statement was made in truth.

....., (place and date)

Stating Parties,

The employer,
 PT.

Meterai Rp. 6.000,-

.....
 Workers/Labours' Representative,

NO	NAME	UNIT/DIVISION/ TRADE UNION *)	SIGNATURE
1.			
2.			
3.			
so forth.			

Note *):

- if the trade union has not been established in the company, then the workers/labourers' representative from each unit/division will be the one who provides advices and/or considerations.
- if a trade union has been established in the company, then the one providing advice and consideration is the trade union.

Issued in Jakarta
on 31December 2014

THE MINISTER OF MANPOWER OF
THE REPUBLIC OF INDONESIA,

signed

M. HANIF DHAKIRI

ANNEX III
THE REGULATION OF THE MINISTER OF MANPOWER OF
THE REPUBLIC OF INDONESIA
NUMBER 28 OF 2014
ON
PROCEDURES FOR MAKING AND LEGALIZING COMPANY
REGULATIONS AND MAKING AND REGISTRATION OF
COLLECTIVE BARGAINING AGREEMENT

FORMAT OF STATEMENT LETTER 2

COMPANY LETTERHEAD
STATEMENT LETTER

I, The undersigned below:

Name :
Address :
Position :

Hereby declare that until now there is no Trade Union in our company PT.
.....

....., (place and date)
Duty Stamped Rp. 6.000,-

.....

Director

Issued in Jakarta
on 31 December 2014

THE MINISTER OF MANPOWER OF
THE REPUBLIC OF INDONESIA,

signed

M. HANIF DHAKIRI

ANNEX IV
THE REGULATION OF THE MINISTER OF MANPOWER OF
THE REPUBLIC OF INDONESIA
NUMBER 28 OF 2014
ON
PROCEDURES FOR MAKING AND LEGALIZING COMPANY
REGULATIONS AND MAKING AND REGISTRATION OF
COLLECTIVE BARGAINING AGREEMENT

FORMAT OF APPLICATION FOR LEGALIZATION OF AMENDMENT TO
COMPANY REGULATIONS

COMPANY LETTERHEAD

No : (place and date)
To
Issue : Application for
Legalization of Amendment In
to PP

In accordance with Law Number 13 of 2003 on Manpower, we hereby submit an application for legalization of amendment to PP as many as 3 (three) copies:

1. Company Name :
2. Company Address :
3. Phone Number :
4. Type of Business : (filled in according in KLUJ)
5. Company Status : Limited Liability Company
(PT)/Limited Partnership Company
(CV)/Firm/Individual Company/ State
Enterprises/Foreign Investment
Company (PMA)/Domestic Investment
Company (PMDN)/Joint Venture (cross
the unnecessary one)
6. Business License : No. :
Date :
7. The name of trade
union in the company :

- 8. No. of BPJS Membership :
- 9. Number of Central Workers : Male : person(s)
Female : person(s)
- 10. Number of Workers in Branches : Male : person(s)
Female : person(s)
- 11. The concept of PP amendment : New/ renewal (cross the unnecessary one)
- 12. The validity date of the PP amendment :
- 13. Monthly Worker Wages : Minimum Rp.....
Maximum Rp.....
- 14. Employment Relation System :
 - a. For a Definite Time person(s)
 - b. For an Indefinite Time person(s)

Attachment:

- 1. An agreement between employers and trade union or workers/labourers representative about the PP amendment.
- 2. The Decision Letter of the legalization of the previous PP.

The Head of the Company,

.....

Issued in Jakarta
on 31 December 2014

THE MINISTER OF MANPOWER OF
THE REPUBLIC OF INDONESIA,

signed

M. HANIF DHAKIRI

ANNEX V
 THE REGULATION OF THE MINISTER OF
 MANPOWER OF THE REPUBLIC OF INDONESIA
 NUMBER 28 OF 2014
 ON
 PROCEDURES FOR MAKING AND LEGALIZING
 COMPANY REGULATIONS AND MAKING AND
 REGISTRATION OF COLLECTIVE BARGAINING
 AGREEMENT

FORMAT OF SUBMISSION FOR REGISTRATION OF
 COLLECTIVE BARGAINING AGREEMENT

COMPANY LETTERHEAD

No : (place and date)
 Issue : Registration of Collective To
 Bargaining Agreement In

We, hereby, submit an application for the registration of Collective Bargaining Agreement as regulated in the implementation of Law Number 13 of 2013 on Manpower, with some company information as follows:

1. Company Name :
2. Company Address/Phone Number :
3. Company Establishment Year :
4. Type of Business : (filled in according in KLUI)
6. 5. Company Status : Limited Liability Company (PT)/Limited Partnership Company (CV)/Firm/Individual Company/ State Enterprises/Foreign Investment Company (PMA)/Domestic Investment Company (PMDN)/Joint Venture (cross the unnecessary one)Name of the Director/Head of Company :
7. Number of Workers :
 - Male :
 - Female :

- 8. Operational Area/province :
- 9. Name of Trade Union/Registration
Number of Trade Union :
- 10. Address of the trade union :
- 11. Number of Member :
- 12. Wage :
- Highest :
- Lowest :
- 13. The validity date of the PKB :
- 14. The PKB registered is the :
- (first, second, third so forth)
- 15. No. of APINDO Membership :
- 16. No. of BPJS Membership :
- 17. Worker Cooperatives :
- 18. Number of Workers :
- PKWT :
- PKWTT :

The Head of the Company,

(signature and stamp)

.....

Issued in Jakarta
on 31 December 2014

THE MINISTER OF MANPOWER OF
THE REPUBLIC OF INDONESIA,

signed

M. HANIF DHAKIRI